

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RASHEEN SMITH,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/24/2020

1:18-cv-05079-MKV

ORDER

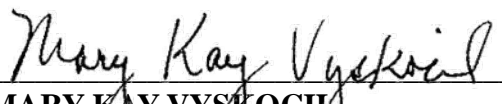
MARY KAY VYSKOCIL, United States District Judge:

On June 24, 2020, the parties telephoned the Court regarding a dispute about the scope of questioning at the deposition of the Plaintiff, which was then underway. The deposition had been reopened to allow limited questioning on newly produced discovery materials [ECF No. 36]. In the course of questioning, Plaintiff referred to matters that had been the subject of his original deposition, namely the criminal complaint against him that is central to his 42 U.S.C. § 1983 claims. Plaintiff's counsel objected to questioning along these lines as beyond the scope of the reopened deposition. Accordingly, it is ORDERED that questions about the criminal complaint, having been raised by Plaintiff, is appropriately the subject of further questioning despite the limited scope of the reopened deposition. However, Defendants are not authorized to pursue questioning on other matters that were covered by Plaintiff's original deposition or engage in wholesale re-questioning or repetitive questioning on the topic of the criminal complaint.

This order was conveyed to the parties telephonically and is now formally entered on the docket.

**SO ORDERED.**

**Date: June 24, 2020  
New York, NY**

  
**MARY KAY VYSKOCIL**  
United States District Judge